

REGULAR CITY COUNCIL MEETING

JANUARY 13, 1986

PRESENT

Ruth Hansen	Mayor
Craig Greathouse	Council Member
Don Dafoe	Council Member
Gayle Bunker	Council Member
Neil Dutson	Council Member
David Church	Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan	City Manager
Dorothy Jeffery	City Recorder
Warren Peterson	City Attorney
Roger Young	Chief of Police
Doyle Bender	City Treasurer
Susan Callister	City Clerk
Bryce Ashby	City Fire Chief
Martin Ludwig	City Resident
Delta First Ward Scout Troop	
David Young	Scout Master
Geneal Young	
Mark Ammot	Chronicle/Progress
Kyle Barnson	City Resident

Mayor Ruth Hansen called the meeting to order at 7:00 p.m. Dorothy Jeffery, Delta City Recorder acted as secretary. Mayor Hansen stated that notice of the meeting time, place and agenda were posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a Public Hearing held December 17, 1985, regarding the "Sugar Factory Row Annexation" were presented for Council's consideration and approval. The Council reviewed the minutes briefly, after which Council Member Craig Greathouse MOVED that the minutes be approved as presented. Council Member Don Dafoe SECONDED the motion. Mayor Hansen asked if there were any further questions or comments regarding the minutes. There being none, she called for a vote on the motion. The motion passed unanimously.

The proposed minutes of a Public Hearing held December 17, 1985, regarding the proposed Airport Annexation were presented for Council's consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. Council Member Neil Dutson SECONDED the motion. Mayor Hansen asked if there were any further questions or comments regarding the minutes. There being none, she called for a vote on the motion. The motion passed unanimously.

The proposed minutes of a Special City Council Meeting held December 17, 1985, were presented for Council's consideration and approval. The Council reviewed and corrected the minutes, after which Council Member Gayle Bunker MOVED that the minutes be approved as corrected. Council Member Craig Greathouse SECONDED the motion. Mayor Hansen asked if there were any further questions or comments regarding the minutes. There being none, she called for a vote on the motion. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held December 23, 1985, were presented for Council's consideration and approval. The Council reviewed and corrected the minutes, after which Council Member Gayle Bunker MOVED that the minutes be approved as corrected. Council Member Don Dafoe SECONDED the motion. Mayor Hansen asked if there were any further questions or comments regarding the minutes. There being none, she called for a vote on the motion. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held December 30, 1985, were presented for Council's consideration and approval. The Council reviewed and corrected the minutes, after which Council Member Neil Dutson MOVED that the minutes be approved as corrected. Council Member Craig Greathouse SECONDED the motion. Mayor Hansen asked if there were any further questions or comments regarding the minutes. There being none, she called for a vote on the motion. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Don Dafoe MOVED that the accounts payable be approved for payment as listed in the amount of \$9,071.35. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further questions or comments regarding the accounts payable. There being none, he called for a vote. The motion passed unanimously.

ROGER YOUNG: CONSIDERATION OF CEASE AND DESIST ORDER ON STOCKMANS LOUNGE BUSINESS LICENSE

Mayor Hansen asked Chief of Police Roger Young to discuss with the Council the consideration of a Cease and Desist Order on Stockmans Lounge Business License.

Chief Roger Young said that Mr. Harvy Ross had been instructed by the Council at the Regular City Council Meeting held December 30, 1985, to provide the necessary documentation for a business license before opening

the Stockmans Lounge. Chief Young reported that Mayor Grant Nielson talked with Harvy Ross after the meeting, then advised City Recorder Dorothy Jeffery to issue Mr. Ross a business license based on representations made by Mr. Ross. Chief Young said that the proper documentation has not yet been received. Attorney Peterson said that he has reviewed the documentation Mr. Ross provided at the previous Council meeting, and it is not sufficient. Mr. Peterson stated the specific reasons for requiring additional information.

Attorney Peterson said that he and Chief Young have discussed the matter and now propose to the Council that a Cease and Desist Order be issued which would order Mr. Ross to comply within a given time period or cease and desist from conducting further business.

Following a brief discussion, Council Member Neil Dutson MOVED that a cease and desist order be served on Mr. Ross requiring that the specified documents be given to City Recorder Dorothy Jeffery by January 20, 1986, at 5:00 p.m. or that he cease and desist from conducting further business. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ROGER YOUNG: REPORT ON POLICE DEPARTMENT D.U.I. ENFORCEMENT DURING 1985

Mayor Hansen asked Chief of Police Roger Young to review with the Council the Police Department D.U.I. enforcement activities during 1985.

Chief Roger Young reported the following information:

<u>D.U.I. ARRESTS</u>		<u>PUBLIC INTOXICATION</u>	
<u>1984</u>	<u>1985</u>	<u>1984</u>	<u>1985</u>
90 Adults 2 Juveniles	83 Adults 4 Juveniles	12 Adults 1 Juvenile	10 Adults 0 Juveniles
<u>LIQUOR LAW VIOLATIONS</u>		<u>ALCOHOL RELATED ACCIDENTS</u>	
<u>1984</u>	<u>1985</u>	<u>1984</u>	<u>1985</u>
35 Adults 25 Juveniles	23 Adults 21 Juveniles	2	11 2 being fatal accidents

Chief Young said there has been false information reported that a police officer was chasing a 17 year old driver Christmas morning, causing a fatal accident. Chief Young said, for public record, that no officer was chasing the driver, but an officer in a stationary vehicle did clock the fatal vehicle at a speed of 97 mph just before the accident occurred. Chief Young said that the 17 year old driver's blood alcohol content was three times over the legal limit.

Chief Young expressed his concern regarding the alcohol and drugs that are being provided to juveniles by adults and said that the police department is going to start a major campaign to curb the sale of alcohol and drugs to juveniles by adults.

ROGER YOUNG: REQUEST FOR CLASS C BEER AND PREMISE LICENSE AND STATE LIQUOR STORE APPLICATION FOR KYLE BARNSON/CHEF'S PALACE TOO

Mayor Hansen asked Chief Roger Young to review with the Council a request for a Class C Beer and Premise License and State Liquor Store Application for Kyle Barnson of Chef's Palace, Too.

Chief Roger Young presented the following letter and recommendation to the Council:

TO: Delta City Council
FROM: Roger J. Young, Chief of Police
RE: Beer License/Liquor Consumption Application
Kyle D. Barnson
DATE: January 8, 1986

As per Title 9-424 of the 1981 Delta City Revised Ordinances, this application was submitted to me for my review and recommendations.

An investigation was conducted on the applicant and of the business itself and the following are my findings in accordance with Title 9-424 of the 1981 Delta City Revised Ordinances:

1. The general reputation of the business is that of being an establishment to where individuals can go and have a dinner and consume alcoholic beverages with the meal. There is nothing to indicate that the individuals who frequent this establishment are of bad character and would give the establishment or Delta City a bad reputation.
2. The establishment has been operated in a lawful, quiet and orderly manner in the past.
3. There has not been any type of entertainment, i.e. live band, juke box, etc., in the establishment in the past and none are expected at this point in time.
4. Our department shows no complaints or investigations of any gambling allowed or permitted on the premises by past owners.

5. The business is also within the guidelines of not being in the proximity of a Church or School as there are neither in the immediate area.

Section 9-426 of the 1981 Delta City Revised Ordinances asked for the qualifications of the applicant. A background check of Mr. Barnson was completed, and nothing was found which would prohibit Mr. Barnson from obtaining a license from Delta City. Therefore, it would be my recommendation that a license be granted to Mr. Kyle D. Barnson.

Respectfully,

Roger J. Young
Chief of Police

Following a brief discussion of the license, Council Member Craig Greathouse MOVED to issue a Class C Beer License, a Premises Liquor License, and to approve the State Liquor Store Application for Chef's Palace, Too. Council Member Don Dafoe SECONDED the motion. Mayor Hansen asked if there were any further comments regarding the motion. There being none, she called for a vote. The motion passed unanimously.

BRYCE ASHBY: APPROVAL OF FIRE DEPARTMENT OFFICERS

Mayor Hansen asked City Manager Jim Allan to present the list of the proposed Fire Department officers. Mr. Allan reported that the Delta City Fire Department held an election to establish the officers within the department. Mr. Allan presented the following list of officers for the Council's approval:

- | | |
|-----------------|---------------------|
| 1. Bryce Ashby | Chief |
| 2. Steve Riding | Assistant Chief |
| 3. Lynn Ashby | 1st Lieutenant |
| 4. Hale Jeffery | 2nd Lieutenant |
| 5. Ron Day | Secretary/Treasurer |

Council Member Neil Dutson MOVED to approve the proposed list of Fire Department officers as listed. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

JIM ALLAN: APPROVAL OF FIRE BOARD MEMBERS TO REPRESENT DELTA CITY

Mayor Hansen asked City Manager Jim Allan to discuss with the Council the appointment of Delta City representatives to the Millard County Fire District Administrative Control Board.

Jim Allan said that in the establishment of the Millard County Fire District, each of the communities are to provide a representative for the fire board, which then becomes the governing body for the Millard County Fire District.

Mr. Allan said that he had attended a Millard County Commission Meeting and recommended to the Millard County Commissioners that, because of the population of Delta, Delta City be allowed to have two representatives on the fire board. Mr. Allan said that, at the present time, the Millard County Commissioners are the only members on the board and suggested that the following members be appointed to the board:

1. Council Member Craig Greathouse
2. Fire Chief Bryce Ashby

Following a brief discussion, Council Member Don Dafoe MOVED to appoint Council Member Craig Greathouse as first candidate to the Millard County Fire District Board and Fire Chief Bryce Ashby as second candidate, in the event that two members are appointed to the fire board; also, that Jim Allan be instructed to write a letter to the Millard County Commissioners asking that Delta City be allowed to have two representatives on the Millard District Fire Board. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

JIM ALLAN: SET PUBLIC HEARING DATE FOR OPEN DRAINAGE ENCLOSURE PROJECT-CDBG FUNDING

Mayor Hansen asked City Manager Jim Allan to address the subject of the Public Hearing for the Open Drainage Enclosure Project.

Jim Allan said that in order to receive Community Development Block Grant (CDBG) money, two public hearings need to be held. The first public hearing is to identify the proposed project and receive public comment on the concept of the project, and the second public hearing is to inform the public that the City wishes to use CDBG money in a given amount for the proposed project.

Mr. Allan said that Delta City originally requested \$206,118.00 CDBG money for the Open Drainage Enclosure Project, but is now requesting \$30,000.00. Millard County at the present time only has the possibility of receiving a total of \$78,000.00 by the new formula and there are a number of entities that are now trying to acquire money from that total.

Following a brief discussion, Council Member David Church MOVED to set a public hearing for the use of CDBG money for the Open Drainage Enclosure Project for Monday, January 27, 1986, at 6:45 p.m. Council Member Craig Greathouse SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

JIM ALLAN: RECOMMENDED NAMES FOR PARKS & RECREATION ADVISORY BOARD

Mayor Ruth Hansen asked City Manager Jim Allan to discuss with the Council the recommended names for appointment to the Parks & Recreation Advisory Board.

Mr. Allan presented a list of recommended names for consideration of appointment to the Parks & Recreation Advisory Board. The Council reviewed and discussed the following names to serve on the five (5) member Parks & Recreation Advisory Board:

1. Martin Ludwig
2. Dean Larson
3. Richard Waddingham
4. Ward Killpack
5. Liz Wiscombe

Following a brief discussion, Council Member Don Dafoe MOVED to appoint Martin Ludwig, Dean Larson, Richard Waddingham, Ward Killpack, and Liz Wiscombe as the five member Parks & Recreation Advisory Board. Council Member David Church SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

JIM ALLAN: REVIEW OF FIRST QUARTER REVENUES AND EXPENDITURES

Mayor Hansen asked City Manager Jim Allan to review with the Council the first quarter revenues and expenditures.

Jim Allan presented a copy of the first quarter revenues and expenditures to each Council member and reviewed the report in detail as on file.

Mr. Allan said that this report would be made available on a monthly basis for the Council's review.

MAYOR RUTH HANSEN: DISCUSSION/DECISION OF COUNCIL MEMBERS' DEPARTMENTAL APPOINTMENTS

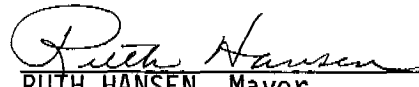
Mayor Hansen reviewed with the Council the previous assignments of the Council members and said that new assignments need to be considered. Following further discussion, the following departmental assignments were made:

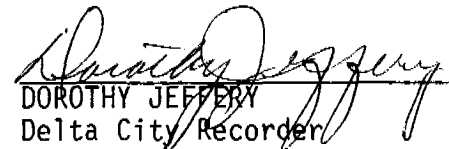
Mayor Hansen:	Library - Police - City Attorney
	City Manager
Council Member Craig Greathouse:	Planning & Zoning - Fire
	Department
Council Member Don Dafoe:	Parks & Recreation - Streets
Council Member Gayle Bunker:	Water & Sewer
Council Member Neil Dutson:	Building Inspection - Airport -
	Garbage Dump Site
Council Member David Church:	Irrigation - City Hall

OTHER BUSINESS

Mayor Hansen recommended that a work session be held to review and discuss the goals and objectives for Delta City. It was decided that a Special City Council Meeting would be held Wednesday, January 22, 1986, at 7:00 p.m. to discuss the 1986 goals and objectives for Delta City.

Mayor Hansen asked if there were any further comments or questions or items to be discussed. There being none, Council Member Don Dafoe MOVED to adjourn the meeting. The motion was SECONDED by Council Member David Church. Mayor Hansen declared the meeting adjourned at 9:25 p.m.


RUTH HANSEN, Mayor

Attest: 
DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: January 22, 1986